

HOFHEIMER GARTLIR & GROSS, LLP
Counsel for the Appellee Debtor and Debtor in Possession
530 Fifth Avenue
New York, NY 10036
(212) 818-9000
Scott R. Kipnis (SK-9147)
Douglas Gross (DG-5984)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re

1633 BROADWAY MARS RESTAURANT CORP. Case No.: 08-CV-04543 (TPG)

Debtor.
-----X

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT on June 12, 2008, I caused true and correct copies of the foregoing Limited Objection to Landlord's Motion to Dismiss Docketed Appeal Without Prejudice to be served upon all the parties set forth on the service list annexed hereto by Federal Express for overnight delivery.

Dated: June 12, 2008
New York, New York

/s/Nicholas B. Malito
Nicholas B. Malito

SERVICE LIST

To: Susan D. Golden
Office of the United States Trustee
33 Whitehall Street, 21st Floor
New York, NY 10004

Howard Kingsley
Hal Beerman
Rosenberg & Estis, P.C.
733 Third Avenue
New York, NY 10017

Chester Salomon, Esq.
Constantine Pourakis
Stevens & Lee, P.C.
485 Madison Avenue – 20th Floor
New York, NY 10022